

GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Social Welfare Department - Kurnool District — Thippayapalli Village, ORVAKAL Mandal – Acquisition of land for an extent of Ac.5.00 for provision of house sites to the weaker section people – payment of Rs.1,58,409/- towards decretal charges in OP.NOs.77/99, 80/99, 81/99 and 82/99 – Permission accorded – Orders issued.

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G.O.Rt.No.655

Dated:25.09.2008.

Read the following:-

1. From the District Collector, Kurnool, No.Rc.No.K.34/2002, dated.21.01.2008.
2. From the Commissioner of Social Welfare, A.P., Hyderabad. Lr.Rc.No.LA4/4154/2005, dated.26.02.2008.

O R D E R:

The Commissioner of Social Welfare, A.P., Hyderabad, in his letter 2nd read above, while forwarding the proposals of the District Collector, Kurnool, in his letter 1st read above, has requested the Government to release of an amount of Rs.1,58,409/- (Rupees one lakh fifty eight thousand four and nine only) under decretal charges in A.S.Nos.1244/03, 486/04, 1880/03 & 1716/04 against OP NOs.77/99, 80/99, 81/99 and 82/99 to comply with the Court orders.

2. The LAO, Orvakal(M), has acquired the land for an extent of Ac.5.00 situated Thippayapalli(V), Orvakal(M) in Kurnool District for providing house sites to weaker section people. The LAO has fixed the market value as Rs.2,000/- per acre vide his Award Proceedings.No.1/87, Dated:16.11.1987. Under section 18 of the LA Act, the case was referred to Lower Court. The Lower Court, has enhanced the compensation from Rs.2,000/- per acre to Rs.20,000/- per acre, in its judgment dated.19.12.2001 in OP Nos.77/99, 80/99, 81/99 and 82/99. Challenging the judgment of the Lower Court, the LAO preferred appeal in the Hon'ble High Court. The Hon'ble High Court, has granted conditional stay to deposit ½ of the decretal amount within 12 weeks from the date of orders 24.03.2005. Accordingly an amount of Rs.2,16,827/- had been deposited in the Lower Court, as reported by the District Collector. Finally, the Hon'ble High Court has disposed the appeals filed by the LAO by reducing the market value to 17,000/- per acre over the market value fixed by the Lower Court at Rs.20,000/- per acre. The Government Pleader, has opined that it is not a fit case for appeal in the Hon'ble Supreme Court. Vide letter dated.29.10.2007.

3. Government, after careful examination of the above proposal, and in consultation with Finance, and Law Departments, hereby accord sanction for an amount of Rs.1,58,409/- (Rupees one lakh fifty eight thousand four and nine only) under decretal charges in A.S.Nos.1244/03, 486/04, 1880/03 & 1716/04 against OP NOs.77/99, 80/99, 81/99 and 82/99 to comply with the Court orders for the lands acquired for providing house sites to the weaker section people of Kurnool District.

4. The Commissioner of Social Welfare, A.P., Hyderabad, shall take necessary action to draw the amount sanctioned in para (3) above and issue necessary proceedings to the District Collector, Kurnool, with available funds at District level from out of the release made from the Budget Estimate 2008-09 and the amount shall be debited under "2225-01-283-G.H. 11-NSP-SH(08)-310/312 –other Grant-in-aid" .

5 The District Collector, Kurnool, shall verify the calculation sheet submitted by the Land Acquisition Officer once again before issue of proceedings for releasing the amount, if any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

6. The Commissioner of Social Welfare, A.P., Hyderabad, shall also requested to initiate disciplinary action against the concerned Land Acquisition Officers and other responsible persons for the delay of more than 10 years for referring the case to the Lower court and shall recover the interest amount from them for the delay period.

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7. This order issued with the concurrence of Finance (Exp. SW) Department vide their U.O.No.20541/315/A1 /Expr.SW/08, dated.30/08/2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Social Welfare, AP, Hyderabad.
The District Collector, Kurnool.
Copy to:-
The Dir. of Treasuries and Accounts, A.P.Hyderabad.
The Accountant General, A.P., Hyderabad.
The Pay & Accounts Officer, Hyderabad.
The District Treasury Office, Kurnool.
The Finance(Exp.SW/BG) Department.
SF/SC.

//FORWARDED :: BY ORDER//

SECTION OFFICER